

FLINTSHIRE COUNTY COUNCIL
TUESDAY, 7 MAY 2019

Minutes of the Annual Meeting of Flintshire County Council held in the Council Chamber, County Hall, Mold on Tuesday 7 May, 2019

PRESENT: Councillor Paul Cunningham (Outgoing Chairman)

Councillors: Mike Allport, Bernie Attridge, Janet Axworthy, Glyn Banks, Haydn Bateman, Marion Bateman, Sean Bibby, Chris Bithell, Sian Braun, Helen Brown, Derek Butler, Clive Carver, Geoff Collett, Bob Connah, David Cox, Jean Davies, Rob Davies, Ron Davies, Adele Davies-Cooke, Chris Dolphin, Rosetta Dolphin, Ian Dunbar, Andy Dunbobbin, Mared Eastwood, Carol Ellis, David Evans, Veronica Gay, George Hardcastle, David Healey, Gladys Healey, Patrick Heesom, Cindy Hinds, Dave Hughes, Kevin Hughes, Dennis Hutchinson, Joe Johnson, Paul Johnson, Rita Johnson, Christine Jones, Richard Jones, Tudor Jones, Colin Legg, Brian Lloyd, Mike Lowe, Dave Mackie, Billy Mullin, Ted Palmer, Mike Peers, Michelle Perfect, Vicky Perfect, Neville Phillips, Mike Reece, Ian Roberts, Aaron Shotton, Paul Shotton, Ralph Small, Ian Smith, Carolyn Thomas, Owen Thomas, Martin White, Andy Williams, David Williams, David Wisinger and Arnold Woolley

APOLOGIES:

Councillors: Ray Hughes, Richard Lloyd, Hilary McGuill and Tony Sharps

IN ATTENDANCE:

Chief Executive; Chief Officer (Governance); Chief Officer (Housing and Assets); Chief Officer (Planning, Environment and Economy); Chief Officer (Social Services); Chief Officer (Streetscene and Transportation); Chief Officer (Education & Youth); Democratic Services Manager; Team Leader - Democratic Services; Democratic Services Officer; and Councillor Reverend Brian Harvey for prayers

For minute number 6

Lieutenant-Colonel Mark Powell and Janette Williams (Armed Forces Liaison Officer for North East Wales)

1. DECLARATIONS OF INTEREST

None.

2. CHAIR'S REVIEW OF THE YEAR 2018/19

As the outgoing Chair, Councillor Paul Cunningham presented his review of the year during which he and his Consort Mrs Joan Cunningham had been honoured to represent Flintshire at over 300 civic events. Amongst the highlights were the North Wales Armed Forces Day, the Japanese Youth Exchange (which he hoped would continue) and charity events with neighbouring authorities. In addition, the visits to County Hall undertaken by many local schools and youth clubs were welcomed as was the assistance during Flintshire Business Week provided by Councillor Derek Butler, Kate Catherall and Lord Barry Jones.

Councillor Cunningham thanked everyone for their generosity in helping to raise almost £14,500 mainly for his chosen charities, Macmillan Cancer Support and Nightingale House, with the remainder to be shared amongst local organisations.

In conclusion, he expressed his gratitude to all for supporting him in his year of office, with personal thanks given to the Chief Executive, Councillor Aaron Shotton as Leader of the Council, the Chief Officer Team and Council employees. He also thanked fellow Members for giving him the opportunity to serve as Chairman and to the Civic Member Services team and his Chaplain Councillor Reverend Brian Harvey for all their support during the year. He paid tribute to the Vice-Chair for her support wishing her well in her new role, and to his wife Joan for her contribution as Consort during the year.

On behalf of officers, the Chief Executive thanked Councillor Cunningham and Mrs Cunningham for their work in representing the Council. This was endorsed by a number of Members during the meeting.

3. ELECTION OF CHAIR OF THE COUNCIL FOR THE MUNICIPAL YEAR 2019/20, INVESTITURE OF CHAIN OF OFFICE AND SIGNING OF DECLARATION OF ACCEPTANCE OF OFFICE

It was proposed by Councillor Carol Ellis and seconded by Councillor Ian Roberts that Councillor Marion Bateman be elected Chair of the Council for the municipal year 2019/20. No other nominations were received. In support of the proposal, tributes were paid to Councillor Bateman's contributions to various committees and commitment to local issues.

Councillor Bateman thanked Members for electing her as Chair for the year ahead which she described as an honour. She congratulated the outgoing Chair and his Consort on a successful year.

RESOLVED:

That Councillor Marion Bateman be elected Chair of the Council for the municipal year 2019/20.

Councillor Bateman was invested with the Chain of Office by the retiring Chairman and signed her Declaration of Acceptance of Office in the presence of the Chief Executive.

(At this point Councillor Bateman chaired the remainder of the meeting.)

The Chair then presented Councillor Cunningham with his retiring Chairman's Badge of Office and his Consort Mrs Joan Cunningham with her retiring Badge of Office. The Chair's Consort, Councillor Haydn Bateman, was invested with his Chain of Office.

4. **APPOINTMENT OF VICE-CHAIR OF THE COUNCIL FOR THE MUNICIPAL YEAR 2019/20, INVESTITURE OF CHAIN OF OFFICE AND SIGNING OF THE DECLARATION OF ACCEPTANCE OF OFFICE**

It was proposed by Councillor Carolyn Thomas and seconded by Councillor Rosetta Dolphin that Councillor Joe Johnson be appointed Vice-Chair for the municipal year 2019/20. No other nominations were received. In support of the proposal, tributes were paid to Councillor Johnson's charitable work and support for local causes.

Councillor Johnson thanked Members and congratulated the Chair whom he looked forward to working with for the year ahead.

RESOLVED:

That Councillor Joe Johnson be appointed as Vice-Chair of the Council for the municipal year 2019/20.

Councillor Johnson was invested with the Chain of Office by the Chair and signed the Declaration of Acceptance of Office in the presence of the Chief Executive. Councillor Johnson's Consort, Mrs Sue Johnson, was invested with her Chain of Office.

5. **VARIATION IN ORDER OF BUSINESS**

The Chair indicated that there would be a slight change in the order of business to bring forward agenda item 10 on the Armed Forces Covenant. The remainder of the items would be considered in the order shown on the agenda.

6. **REFRESHING FLINTSHIRE COUNTY COUNCIL'S COMMITMENT TO THE ARMED FORCES COVENANT**

The Chief Executive introduced Lieutenant-Colonel Mark Powell and Janette Williams (Armed Forces Liaison Officer for North East Wales) to refresh the Council's commitment in supporting the Armed Forces community by re-signing the Armed Forces Covenant originally signed in 2013. Presentation slides outlined the purpose of the Covenant and the Council's achievements and future ambitions.

As the Council's Armed Forces Champion, Councillor Andy Dunbobbin proposed that the Covenant be re-signed to re-affirm the Council's commitment in ensuring that members of the Armed Forces community should not be unfairly disadvantaged in the provision of services and that special consideration be given where necessary. This commitment recognised the value of serving personnel, both regular and reservist, veterans and military families and their contributions to the nation. Good progress had been made by the steering group to promote the Covenant leading to the Council achieving the Silver Award in the Ministry of Defence Employer Recognition Scheme. Councillor Dunbobbin thanked all officers involved, in particular Janette Williams and Stephen Townley. The proposal was seconded by Councillor Joe Johnson.

The Covenant was formally signed by Lieutenant-Colonel Powell and Councillor Dunbobbin.

On behalf of the Brigade Commander, Lieutenant-Colonel Powell thanked the Council for its support which was greatly valued.

Councillor Glyn Banks took the opportunity to pay tribute to Armed Forces personnel, past and present, as well as all those who worked on the Covenant, particularly Councillor Dunbobbin.

RESOLVED:

That the Council's commitment to the Armed Forces community be refreshed by re-signing the Covenant.

7. ELECTION OF THE LEADER OF THE COUNCIL

It was proposed by Councillor Paul Cunningham and seconded by Councillor Neville Phillips that Councillor Ian Roberts be appointed Leader of the Council for the municipal year 2019/20. No other nominations were received. In support of the proposal, tributes were paid to Councillor Roberts' achievements in local government and his commitment to deliver quality services for Flintshire residents.

RESOLVED:

That Councillor Ian Roberts be appointed Leader of the Council for the municipal year 2019/20.

8. APPOINTMENT OF THE CABINET BY THE LEADER

Councillor Ian Roberts thanked Members for electing him as Leader of the Council which he described as a genuine honour. In accordance with the Constitution, he set out his choice of Councillors to serve on the Cabinet. This was seconded by Councillor Sean Bibby who wished Councillor Roberts and the Cabinet the best for the coming year.

RESOLVED:

That the choice of Councillors to serve on the Cabinet and their portfolios detailed below, be noted.

<u>Cabinet Member</u>	<u>Portfolio</u>
Ian Roberts	Leader of the Council and Cabinet Member for Education & Youth
Carolyn Thomas	Deputy Leader and Cabinet Member for Streetscene
Glyn Banks	Cabinet Member for Finance
Chris Bithell	Cabinet Member for Planning
Derek Butler	Cabinet Member for Economic Development

Dave Hughes	Cabinet Member for Housing
Christine Jones	Cabinet Member for Social Services
Billy Mullin	Cabinet Member for Corporate Management

9. **CONSTITUTIONAL MATTERS: COMMITTEES AND INTERNAL BODIES**

The Council considered the report of the Chief Officer (Governance) which dealt with matters that required decision at the Annual Meeting of the County Council in accordance with Council Procedure Rule 1.1 (vii) - (xiv). The report was split into sections, each one dealing with one decision that needed to be made and the relevant issues for consideration. Each section was considered and voted on in turn.

(i) **Appointment of Committees**

The Chief Officer (Governance) explained that the Constitution provided for the appointment of the following: Audit Committee; Clwyd Pension Fund Committee; Constitution & Democratic Services Committee; Joint Governance Committee (for Pensions); Licensing Committee; Planning Committee; Standards Committee; and the six Overview & Scrutiny Committees. The Grievance Committee and Investigation & Disciplinary Committee were also to be appointed as agreed at the previous meeting.

Councillor Patrick Heesom asked for clarification on the need to appoint an Investigation & Disciplinary Committee when the Standards Committee was already in place. The Chief Officer advised that whilst the Standards Committee considered any breaches of the Code of Conduct by councillors, a separate committee was required to be established to consider disciplinary matters relating to officers, specifically the named statutory officers as set out in legislation. Councillor Heesom requested details of the officers to whom this would apply. The Chief Officer agreed to supply the names of the officers whose posts were indicated on the report.

Councillor Chris Bithell moved approval of the recommendation in the report which was seconded by Councillor Ian Roberts.

RESOLVED:

That Council appoints the following Committees:

Audit Committee

Clwyd Pension Fund Committee

Constitution and Democratic Services Committee

Joint Governance Committee (for Pensions)

Licensing Committee

Planning Committee

Standards Committee

The six Overview & Scrutiny Committees listed in paragraph 1.01

Grievance Committee (appointed on 9 April 2019)

Investigation and Disciplinary Committee

(ii) Determination of the size of Committees

The Chief Officer explained that the size of each committee must be decided at the Annual Meeting. Details of the provision for the size of the Committees were set out in the report, including a recommendation from the Audit Committee to increase its size to allow for an additional lay member.

In referring to the importance of the Audit Committee, Councillor Heesom called for further consideration on the size of its membership to include wider Member representation, particularly if there was an increase in the number of lay members. He asked whether the Leader would consider deferring a decision on that particular committee to allow for more discussion.

The Chief Officer explained that such a decision would result in the postponement of the next Audit Committee meeting to enable the item to be decided at the next Council meeting in June.

On the legislative restrictions on membership of the Planning Committee, Councillor Mike Peers drew attention to the rules on multiple Member ward representation as set out in the Political Balance section of the report.

In response to Councillor Heesom, Councillor Roberts acknowledged the benefits of lay members serving on Committees and proposed that the number of councillors on the Audit Committee remain unchanged and to start the process to recruit an additional lay member. He proposed that Councillor Heesom's suggestion be considered as part of a wider review of Committees (including membership sizes) to be undertaken during the year, with recommendations made by the Constitution & Democratic Services Committee submitted to Council. This was seconded by Councillor Carolyn Thomas.

The Chief Officer sought clarification on whether Councillor Heesom's suggestion had been a formal proposal and whether he was satisfied with the response given by Councillor Roberts.

Councillor Heesom said that whilst he appreciated the response, the value of the Audit Committee was under-estimated and moved that his proposal be dealt with urgently whilst not impeding the recruitment process for a second lay member. This was seconded by Councillor Carol Ellis.

The Chief Officer advised that Councillor Roberts' amendment, which had been formally proposed and seconded, now became the substantive Motion. On being put to the vote, it was carried.

RESOLVED:

- (a) That the size of each committee be as set out in paragraph 1.04 of the report and that an additional lay Member be recruited to the Audit Committee as set out in the report; and

- (b) That a review of committees be undertaken in the next 12 months including the number of elected Members and lay members on the Audit Committee membership.

(iii) Terms of Reference of Committees

The Chief Officer explained that the Annual Meeting was required to decide the terms of reference of the committees that it appointed. This included the terms of reference for existing committees as set out in the Constitution and terms of reference for the Grievance Committee agreed at the previous meeting.

Councillor Chris Bithell moved approval of the recommendation in the report which was seconded by Councillor Glyn Banks.

RESOLVED:

That the terms of reference for each Committee in the Constitution be approved with the addition of the Grievance Committee appointed at the last meeting and the Investigation and Disciplinary Committee as set out in the report.

(iv) Political Balance

The Chief Officer (Governance) explained that at, or as soon as practicable after the Annual Meeting, the Council was required to decide the allocation of seats to political groups in accordance with the Political Balance Rules contained in the Local Government and Housing Act 1989 and the Local Government (Committees and Political Groups) Regulations 1990 as amended.

There were 179 seats in total for Councillors across all of the committees based on the current group membership. The entitlement of each group to seats was shown in the revised spreadsheet circulated which reflected changes to group sizes since publication of the report. The political balance seat calculations set out for consideration were one of a number of possible solutions and included provision for the Grievance Committee and Investigation & Disciplinary Committee to have representation from all political groups.

Councillor Ian Roberts moved approval of the recommendation in the report which was seconded by Councillor Carolyn Thomas.

RESOLVED:

That the seats be allocated in accordance with political balance (and the rules on membership of the Planning Committee) as set out in the revised spreadsheet.

(v) Appointment of Chairs of Standing Committees

The Chief Officer (Governance) explained that Committee Chairs were appointed by different bodies, some of which were subject to restrictions. A table in paragraph 1.20 of the report outlined which body appointed which Chair and what restrictions (if any) applied. As it had been agreed at the previous meeting that the

Grievance Committee would appoint its own Chair, it was assumed that the same would apply to the Investigation & Disciplinary Committee.

Councillor Ian Roberts moved the following, which was seconded by Councillor Carolyn Thomas:

- That Councillor Wisinger be appointed as Chair of Planning Committee;
- That Councillor Aaron Shotton be appointed as Chair of the Clwyd Pension Fund Committee;
- That Councillor Ted Palmer be appointed as Chair of the Constitution & Democratic Services Committee;
- That Councillor Sharps be appointed as Chair of the Licensing Committee.

Councillor Patrick Heesom moved an amendment that the Leader consider deferring the appointment of the Chair of Clwyd Pension Fund to allow for further consideration and brought back to the next Council meeting. This was seconded by Councillor Helen Brown.

In highlighting the key role of the Chair of the Clwyd Pension Fund Committee, Councillor Roberts considered that this was not a substantial reason for deferral.

Councillor Mike Peers proposed a further amendment that Councillor Haydn Bateman be appointed as Chair of the Clwyd Pension Fund Committee on which he had served for a number of years and that this would be a natural progression from his role as Vice-Chair. This was seconded by Councillor Dennis Hutchinson.

Councillor Heesom subsequently withdrew his proposal.

The amendment put forward by Councillor Peers became the substantive Motion. He requested a recorded vote to which the requisite ten Members stood in support.

Councillor Chris Bithell referred to the political balance spreadsheet on which the Independent group (to which Councillor Bateman belonged) had not been allocated any seats on the Clwyd Pension Fund Committee. The Chief Officer said that groups decided their own nominations to committees and that other groups may wish to consider allocating a seat to the Independent group in order that Councillor Bateman may take up the position of Chair.

On being put to the vote, Councillor Peers' amendment was lost as follows:

For the amendment:

Councillor: Mike Allport, Bernie Attridge, Janet Axworthy, Haydn Bateman, Marion Bateman, Sian Braun, Helen Brown, Clive Carver, Bob Connah, Jean Davies, Rob Davies, Adele Davies-Cooke, Rosetta Dolphin, Carol Ellis, Veronica Gay, George Hardcastle, Patrick Heesom, Dennis Hutchinson, Rita Johnson, Richard Jones, Colin Legg, Brian Lloyd, Dave Mackie, Mike Peers, Ralph Small, Owen Thomas, David Williams and Arnold Woolley

Against the amendment:

Councillor: Glyn Banks, Sean Bibby, Chris Bithell, Derek Butler, Geoff Collett, David Cox, Paul Cunningham, Ron Davies, Ian Dunbar, Andy Dunbobbin, David Evans, David Healey, Gladys Healey, Cindy Hinds, Dave Hughes, Kevin Hughes, Joe Johnson, Paul Johnson, Christine Jones, Mike Lowe, Billy Mullin, Ted Palmer, Michelle Perfect, Vicky Perfect, Mike Reece, Ian Roberts, Aaron Shotton, Paul Shotton, Ian Smith, Carolyn Thomas, Andy Williams and David Wisinger

Abstentions:

Councillors: Chris Dolphin, Mared Eastwood, Tudor Jones and Neville Phillips

The substantive Motion, as moved by Councillor Ian Roberts, was put to the vote and carried.

The recommendation for the Grievance Committee and Investigation & Disciplinary Committee to appoint their own Chairs from their memberships was also put to the vote and carried.

The Chief Officer explained that the chairs of Overview & Scrutiny Committees were chosen by the political groups based on the strength of the various groups and which had seats on the Cabinet. Chairs were allocated to groups with a place on Cabinet first and any entitlement was rounded down to the nearest whole number. The remaining Chairs were then allocated to groups without a seat on Cabinet, rounding up to the nearest whole number.

Councillor Roberts moved the following, which was seconded by Councillor Carolyn Thomas:

Overview & Scrutiny Committee	Group to Choose Chair
Community & Enterprise	Labour (Councillor Ian Dunbar)
Education & Youth	Labour (Councillor David Healey)
Corporate Resources	Conservative
Environment	New Independent
Organisational Change	Independent Alliance
Social & Health Care	Liberal Democrat (swap with Independent)

On being put to the vote, this was carried.

RESOLVED:

- (a) That the Chairs of the following Committees be appointed (noting any restrictions on eligibility):
- Clwyd Pension Fund Committee - Councillor Aaron Shotton
 - Constitution and Democratic Services Committee - Councillor Ted Palmer
 - Licensing Committee - Councillor Tony Sharps
 - Planning Committee - Councillor David Wisinger
- (b) That the Grievance Committee and Investigation & Disciplinary Committee should each appoint its own Chair from amongst its membership; and

- (c) That the following groups be allocated the chair of the Overview & Scrutiny Committees as outlined:

Community and Enterprise	-	Labour Group
Corporate Resources	-	Conservative Group
Education and Youth	-	Labour Group
Environment	-	New Independents Group
Organisational Change	-	Independent Alliance Group
Social & Health Care	-	Liberal Democrats Group

(vi) Local Choice Functions

The Chief Officer explained that the Council was required to agree such part of the Scheme of Delegation as the Council determined it was for the Council to agree. This related to local choice functions which could be decided either by the Council or the Cabinet and/or delegated to officers.

Councillor Roberts moved approval that the existing Local Choice functions be confirmed, which was duly seconded.

RESOLVED:

That the Local Choice functions as set out in the Constitution be approved.

(vii) Nominations to Internal Bodies

The Chief Officer explained that the existing Scheme of Delegation provided for an Appointments Committee for first and second tier officers, comprising seven Members. This was not a standing committee and was convened when required by seeking nominations from Group Leaders. It was recommended that the make-up of the Committee continue, as set out in the report.

Councillor Chris Bithell moved approval of the recommendation in the report which was seconded by Councillor Roberts.

RESOLVED:

That the make-up of the Appointments Committee be approved.

(viii) Standards Committee and Appointments to Outside Bodies

The Chief Officer explained the composition and membership of the Standards Committee which Members were requested to note along with the appointment of Members to Outside Bodies for the whole term of the Council.

Councillor Roberts moved both recommendations which were seconded by Councillor Bithell.

RESOLVED:

- (a) That the composition and membership of the Standards Committee be noted; and
- (b) That Council notes that nominees to Outside Bodies have been appointed for the whole Council term and the Chief Executive's power to vary those nominations (in consultation with Group Leaders).

10. STANDARDS COMMITTEE INDEPENDENT MEMBERS

The Chief Officer (Governance) presented a report on the membership of the Standards Committee as the terms of office of two of the independent members had recently expired. Both members were eligible to be reappointed for a second term and their valued contributions to the Committee were recognised. Whilst Phillipa Earlam was willing to serve again, it was suggested that a letter of thanks be sent to Edward Hughes who wished to step down.

The Chief Officer outlined the rules on appointing independent members and advised that a potential joint recruitment process with Wrexham County Borough Council would be beneficial.

In welcoming the contributions of independent members on the Standards Committee, Councillor Paul Johnson moved the recommendations in the report which were seconded by Councillor Woolley.

RESOLVED:

- (a) That Council reappoints Phillipa Ann Earlam to the Standards Committee for four years and advertises the vacancy for the remaining position jointly with Wrexham County Borough Council; and
- (b) That the Chair of the Council write to Edward Hughes thanking him for his hard work on the Committee during his term.

11. SCHEDULE OF MEETINGS

The Democratic Services Manager presented the schedule of meetings for 2019/20 following consultation. Whilst every effort was made to avoid meeting clashes, he suggested that the Organisational Change Overview & Scrutiny Committee meeting on 21 October be moved to 28 October to avoid a clash with a meeting of the Fire Authority. He also suggested that the Annual General Meeting (AGM) be moved from 5 May 2020 to allow time after the Bank Holiday.

On the latter point, the Chief Executive agreed with Councillor Mike Peers' suggestion that the AGM be moved to 7 May 2020 and that the Corporate Resources Overview & Scrutiny Committee meeting be rescheduled.

Councillor David Healey asked that the Schedule include a joint meeting between the Education & Youth and Social & Health Care Overview & Scrutiny Committees to consider items spanning both remits.

The Chief Executive suggested that the frequency of such joint meetings could be agreed by the Chairs of both Committees once the appointments had been made.

RESOLVED:

That the draft schedule of meetings for 2019/20 be approved, subject to the proposed changes.

12. ATTENDANCE BY MEMBERS OF THE PRESS AND PUBLIC

There was one member of the press and 16 members of the public in attendance.

(The meeting started at 10am and ended at 12.10pm)

.....
Chair